

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 13-00191

PRESENT: SMITH, J.P., PERADOTTO, CARNI, AND LINDLEY, JJ.

UTICA NATIONAL INSURANCE GROUP, AS SUBROGEE
OF MARIANNE ELLIS AND MARK ELLIS,
PLAINTIFF-RESPONDENT,

V

ORDER

OUR TOUCH, INC., DEFENDANT-APPELLANT,
ET AL., DEFENDANT.

CARTAFALSA, SLATTERY, TURPIN & LENOFF, BUFFALO (PHYLISS A. HAFNER OF
COUNSEL), FOR DEFENDANT-APPELLANT.

FELDMAN KIEFFER, LLP, BUFFALO (ADAM C. FERRANDINO OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered April 11, 2012. The order, among other things, denied the motion of defendant Our Touch, Inc., seeking summary judgment dismissing the amended complaint.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: September 27, 2013

Frances E. Cafarell
Clerk of the Court